

WILMER CUTLER PICKERING
HALE AND DORR LLP

SONAL N. MEHTA (SBN 222086)

Sonal.Mehta@wilmerhale.com

2600 El Camino Real, Suite 400

Palo Alto, California 94306

Telephone: (650) 858-6000

Facsimile: (650) 858-6100

DAVID Z. GRINGER (*pro hac vice*)

David.Gringer@wilmerhale.com

7 World Trade Center

250 Greenwich Street

New York, New York 10007

Telephone: (212) 230-8800

Facsimile: (212) 230-8888

ARI HOLTZBLATT (*pro hac vice*)

Ari.Holtzblatt@wilmerhale.com

MOLLY M. JENNINGS (*pro hac vice*)

Molly.Jennings@wilmerhale.com

1875 Pennsylvania Ave NW

Washington, DC 20006

Telephone: (202) 663-6000

Facsimile: (202) 663-6363

Attorneys for Defendant Facebook, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., a Delaware Corporation
headquartered in California,

Defendant.

Case No. 5:20-cv-08570-LHK

**DEFENDANT FACEBOOK, INC.'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE STATEMENT OF
RECENT DECISION**

Judge: Hon. Lucy H. Koh

1 Pursuant to Civil Local Rule 7-11, Defendant Facebook, Inc. respectfully asks this Court
2 for leave to file a Statement of Recent Decision. Facebook's proposed Statement of Recent
3 Decision is attached hereto as Exhibit A. Facebook seeks leave to inform the Court of a decision
4 issued by the Ninth Circuit in *City of Oakland v. Oakland Raiders, et al.*, No. 20-16075, 2021 WL
5 5707683, at *7-13 (9th Cir. Dec. 2, 2021), affirming the district court's dismissal of the City of
6 Oakland's Sherman Act claim for failure to state a claim upon which relief may be granted.
7 Because Facebook believes that the *City of Oakland* decision is pertinent to its pending motion to
8 dismiss, Facebook wishes to bring it to the Court's attention. Facebook sought Plaintiffs'
9 stipulation to this submission and Plaintiffs take no position.¹

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 ¹ Consistent with L.R. 7-3(d)(2), Facebook presents no argument regarding how the decision in
27 *City of Oakland v. Oakland Raiders* bears on Plaintiffs' claims. Facebook respectfully submits
28 that it would be improper for Plaintiffs to inject argument as to the relevance of *City of Oakland*
in response to this submission, as the Court is more than capable of evaluating *City of Oakland*'s
relevance for itself.

1 Dated: December 7, 2021

Respectfully submitted,

2 By: /s/ Sonal N. Mehta

3 SONAL N. MEHTA (SBN 222086)
4 Sonal.Mehta@wilmerhale.com
5 WILMER CUTLER PICKERING HALE
6 AND DORR LLP
7 2600 El Camino Real, Suite 400
8 Palo Alto, California 94306
9 Telephone: (650) 858-6000
10 Facsimile: (650) 858-6100

11 DAVID Z. GRINGER (*pro hac vice*)
12 David.Gringer@wilmerhale.com
13 WILMER CUTLER PICKERING HALE
14 AND DORR LLP
15 7 World Trade Center
16 250 Greenwich Street
17 New York, New York 10007
18 Telephone: (212) 230-8800
19 Facsimile: (212) 230-8888

20 ARI HOLTZBLATT (*pro hac vice*)
21 Ari.Holtzblatt@wilmerhale.com
22 MOLLY M. JENNINGS (*pro hac vice*)
23 Molly.Jennings@wilmerhale.com
24 WILMER CUTLER PICKERING HALE
25 AND DORR LLP
26 1875 Pennsylvania Ave NW
27 Washington, DC 20006
28 Telephone: (202) 663-6000
Facsimile: (202) 663-6363

Attorneys for Defendant Facebook, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of December, 2021, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System.

/s/ Sonal N. Mehta

Sonal N. Mehta